

IN THE HIGH COURT OF TRIPURA
A G A R T A L A

Review Petition No.26 of 2025

Prof. Dr. Kamalakant Sharma,
son of late Ramgopal Sharma, Flat No.A2-503,
Celina Apartments Baner, Pune-411045,
Maharashtra

..... **Petitioner-in-person**

- V e r s u s -

- 1. Union of India,**
represented by the Secretary to the Government
of India, Ministry of Education, Department of
Higher Education, New Delhi-110001
- 2. The University Grants Commission,**
represented by the Chairman, Bahadur Shah
Zafar Marg, New Delhi-110002
- 3. The Tripura University (A Central University),**
represented by the Registrar, Tripura University
(A Central University), Suryamaninagar-799022,
Tripura University, Sub- Post Office, P.S.
Amatali, District- West Tripura
- 4. The State of Tripura,**
represented by the Secretary to the Government
of Tripura, Education (Higher) Department, New
Secretariat Complex, P.O. Kunjaban-799006,
P.S. East Agartala, West Tripura

..... **Respondent(s)**

Petitioner-in-person	:	Prof. Dr. K. Sharma				
For the Respondent(s)	:	Mr. B. Majumder, Dy. SGI Mr. P.K. Dhar, Sr. Adv. Mr. P. Gautam, Adv. Mr. K. Paul, Adv.				
Date of hearing	:	27.02.2026				
Date of delivery of Judgment & order	:	24.04.2026				
Whether fit for reporting	:	<table border="1"><tbody><tr><td>YES</td><td>NO</td></tr><tr><td></td><td>✓</td></tr></tbody></table>	YES	NO		✓
YES	NO					
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**HON'BLE THE CHIEF JUSTICE MR. M.S. RAMACHANDRA RAO
HON'BLE MR. JUSTICE S. DATTA PURKAYASTHA**

JUDGMENT & ORDER

(S. Datta Purkayastha, J.)

We have heard the petitioner in person and Mr. B. Majumder, learned Dy. SGI appearing for the respondent Nos.1 & 2, Mr. P.K. Dhar, learned senior counsel assisted by Mr. K. Paul, learned counsel appearing for the respondent No.3 and Mr. P. Gautam, learned senior G.A. appearing for the respondent No.4.

[2] The present review petition carries a history of several litigations behind it. The basic grievance of the present petitioner as ventilated through such litigations was in respect of his claims for in-service and post-service benefits as a Professor under the respondent No.3, Tripura University. He went on retirement on 31.03.2007.

[3] Once the petitioner filed W.P.(C) No.577 of 2019 in this Court with such grievances and the learned Bench disposed of the matter on 08.05.2019 giving a liberty to the petitioner to make a detailed representation to the University authority, in addition to the representations already submitted by him and the University was also directed simultaneously to examine the case of the petitioner in accordance with law expeditiously and not later than 2[two] months; and thereafter, the order assigning the reasons had to be communicated to the petitioner. The representation of the petitioner ultimately did not satisfy the petitioner.

[4] He thereafter filed W.P.(C) No.1361 of 2019 and the learned Writ Court disposed of the same on 20.10.2020 with observations that the

petitioner might be agitating his various claims of higher retirement age or higher pension under CCS (Pension) Rules; whether the claims were justified or not, were not important, but the University, on its own ought to have paid his legitimate dues, which according to the University, he is entitled to. It was further held that merely because the petitioner was clamouring for higher benefits, it would not be proper for the University to withhold his such post-retiral benefits which even according to the University were payable to him. Pendency of the litigation initiated by the petitioner, therefore, could not be a ground on which the University could have used to withheld such dues. Therefore, the University, was liable to pay interest for such delayed payment. Finally, the Court directed the respondents to pay simple interest @ 7% per annum on the sum of Rs.51,62,074/- computing from 01.07.2007 till payment (01.10.2019) within a period of 4(four) weeks from the date of passing of the said judgment.

[5] The University authority then filed W.A. No.449 of 2020 against the said judgment and the appeal was thereafter dismissed. However, the Division Bench granted 4[four] weeks time to make the payment of interest as per the direction of the learned Single Judge with further caution that if the interest was not paid within the period, the University should be called upon to pay further interest up to the date of actual payment at the rate stipulated by the learned Single Judge.

[6] The University authority again thereafter, preferred a petition seeking review of the said judgment bearing Review Petition No.07 of 2012 and the said petition for review was also accordingly disposed of by the order dated 18.04.2022 by the Division Bench observing that the interest as

directed by the learned Single Judge as well as by the Division Bench on the amount payable/paid to the private respondent should be computed from the date on which it became due and payable to the private respondent (petitioner) till the date of actual payment with further direction to the University authority to release the same within a period of 2[two] weeks. Liberty was also granted to the present petitioner to raise his objections regarding computations made by the University in the review petition and to raise such objection before the University within a further period of 2[two] weeks i.e. 4[four] weeks from the date of said judgment. It was also observed that if and when such representation was made, same might be considered by University in accordance with the said directions and disposed of within a further period of 4[four] weeks there from.

[7] The petitioner thereafter submitted representations on 16.12.2022 and 16.01.2023 and the same was disposed of by a speaking order vide communication dated 21.03.2023. Immediately, thereafter, the petitioner again submitted another lengthy representation on 20.05.2023 which the University Authority did not further take into consideration. According to them, due to disposal of the previous representations by a reasoned communication, nothing was left for further consideration.

[8] Thereafter, the petitioner filed W.P.(C) No.224 of 2024 and the learned Single Bench vide order dated 24.06.2024 dismissed the said writ petition observing that there was no merit in the said writ petition with the observations that matters were already decided and there was no further scope to consider the same in the said writ petition. However, learned Single Bench also additionally observed that as the petitioner had served

under the University, communication might be made by the University authority in respect of his said representation dated 20.05.2023.

[9] Challenging the said judgment, the present writ petitioner filed Writ Appeal No.89 of 2024 before the Division Bench of this Court and the said Bench, vide order dated 29.07.2024 dismissed the said appeal after examining the details of the grievances of the petitioner and the correctness of the decision of the learned Writ Court. The Division Bench also observed that the liberty to file representation by the petitioner to the University was only regarding computation of total amount paid in compliance with the above said judgment passed in W.A. No.449 of 2020 and the review judgment dated 18.04.2022. The representations dated 16.12.2022 and 16.01.2023 were also disposed of on 21.03.2023 by the University-respondent. But again the petitioner made another representation after disposal of his previous two representations to the said University-respondent for which no further liberty was granted by the Review Court. The Division Bench also took note of the entire communication made by the University -respondent to the present petitioner and finally observed that in the backdrop of such given circumstances, it did not find any convincing ground to interfere in the matter as apparently computation of service or post-retiral benefits could not be examined in the writ jurisdiction and the direction of the learned Single Judge to the University to again deal with the representation of the petitioner dated 20.05.2023 was merely an unnecessary observation. The Division Bench also observed that the amounts due and admissible under service and post-retirement benefits along with interest having been paid in favour of the writ petitioner as per the judgment of the High Court, and their computation could not be re-agitated

in the writ jurisdiction and therefore, the petitioner was left with a liberty to pursue his remedies before the competent Court of civil jurisdiction where relevant questions of facts might be determined on pleading and evidence produced by the parties.

[10] Challenging the said order of the Division Bench, the petitioner approached the Hon'ble Supreme Court by filing a Special Leave Petition (Civil) Diary No(s).54810/2024 and the same was dismissed by the Hon'ble Supreme Court on 20.01.2025 with the following observations:

"Delay condoned.

Heard petitioner-in-person.

We are not inclined to interfere with the impugned judgment and order passed by the High Court. Hence, the special Leave Petition is dismissed.

Pending application(s), if any, shall stand disposed of.

[11] Thereafter, the petitioner again filed a review petition bearing Review Petition (C) No.... of 2025 (Diary No.9714 of 2025) in SLP(C) No.1861 of 2025 before the Hon'ble Supreme Court which was also dismissed vide order dated 23.07.2025. As such, the claims and grievances of the petitioner ultimately reached the finality.

[12] Now, again the present petition for review of the above said judgment of the Division Bench of this Court dated 29.07.2024 passed in W.A. No.89 of 2024, is filed by petitioner after his challenge to the same before the Hon'ble Supreme Court was rejected.

[13] The petitioner, appearing in person, during his submission could not satisfactorily explain about grounds for reviewing the said judgment of this Court. He refers to 4[four] points raised by him in his petition for review to support his claim for review. In fact, within the said four

points, nothing as such is canvassed by him which can make us impressed that really there is any valid reason for reviewing such previous judgment of the Court. The four points as referred by him are as follows-

(i) For that the Division Bench of this Hon'ble High Court erred in passing the impugned judgment and order without taking into consideration the facts and circumstances of the case in its proper perspective.

(ii) For that in any event, impugned judgment and order is otherwise bad and is thus fit to be set aside by this Hon'ble Court in the exercise of its extra-ordinary jurisdiction vested in it under Article 136 of Constitution of India.

(iii) For that it is respectfully submitted that the instant Review Petition is fit in all respects to get consideration of this Hon'ble High Court.

(iv) For that aforesaid Writ Appeal No.89 of 2024 filed by the petitioner been dismissed by mistake or error apparent on the face of the record in view of non-consideration of any of prayers, substantive points of concern and/or question and/or reliefs sought for as stated in W.P.(C) No.224 of 2024 and W.A. No.89 of 2024 filed by petitioner vis-à-vis the critical pleas, facts, events, circumstances etc. as stated below thereof.

[14] He has also raised certain questions of law in the said review petition such as-whether the total and complete post-retiral benefits of an incumbent upon his superannuation from service is a part of the incidence of service or not, whether denial of apposite salary and complete post-retiral benefits to a superannuated persons infringes upon Article 16 of the Constitution of India or not. Basically, nothing as such could be projected by him to show a good ground requiring the review of the judgment.

[15] Learned counsel appearing for the respondents submit that there being no valid reason for reviewing the said judgment of this Court, same is required to be dismissed.

[16] We have taken into consideration the disputes between the parties, the issues raised by the petitioner as well as the decision of the learned Writ Court, then the decision of the Division Bench and finally, the

orders passed by the Hon'ble Supreme Court. According to us, the petitioner has hopelessly failed to show a single ground to entertain this review petition. It is not a case of discovery of any new and important evidence or any error apparent on the face of the record as could be made out by the petitioner. The judgment of the Division Bench has already been affirmed by the Hon'ble Supreme Court and therefore, the position cannot be disturbed now. Moreover, no valid ground could be made out by the petitioner to review the said judgment. As it appears, it is now an attempt on the part of the petitioner to reopen and revive the said Writ Appeal No.89 of 2024 and to get a fresh decision by way of bypassing not only the judgment passed in said W.A. No.89 of 2024 but also the decisions rendered by the Hon'ble Supreme Court in above said Special Leave Petition and the review petition.

[17] For the above said reasons, we do not find any valid ground to entertain this review petition and accordingly, the same is dismissed.

No order as to costs.

Pending application(s), if any, also stand disposed of.

(S. DATTA PURKAYASTHA, J)

(M.S. RAMACHANDRA RAO, CJ)